

2024 -- H 7700

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LC004677
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO FOOD AND DRUGS -- ADVERTISING OF RHODE ISLAND PRODUCTS --
LOCAL FOOD

Introduced By: Representatives Speakman, Donovan, Morales, Carson, Cotter, Spears,
Cortvriend, Potter, and Fenton-Fung

Date Introduced: February 23, 2024

Referred To: House Small Business

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 21-32 of the General Laws entitled "Advertising of Rhode Island
2 Products" is hereby amended by adding thereto the following section:

3 **21-32-3. Local food.**

4 (a) As used in this section:

5 (1) "Eggs" means eggs that are the product of laying birds, including: chickens, turkeys,
6 ducks, geese, or quail, and that are in the shell.

7 (2) "Local farm" means a farm, farmers' cooperative, food hub or wholesale distributor
8 located in Rhode Island.

9 (3) "Locally sourced food" means food grown or produced at, or sold by, a local farm and
10 includes, but is not limited to, value-added dairy, fish, pork, beef, poultry, eggs, fruit, vegetables
11 and minimally processed foods.

12 (4) "Majority of ingredients" means more than fifty percent (50%) of all product
13 ingredients by volume, excluding water.

14 (5) "Processed food" means any food other than a raw agricultural product and includes a
15 raw agricultural product that has been subject to processing, such as canning, cooking, dehydrating,
16 milling, or the addition of other ingredients. Processed food includes dairy, meat, maple products,
17 beverages, fruit, or vegetables that have been subject to processing, baked, or modified into a value-
18 added or unique food product.

1 (6) “Raw agricultural product” means any food in its raw or natural state without added
2 ingredients, including seafood, shellfish, oysters, pasteurized or homogenized milk, maple sap or
3 syrup, honey, meat, eggs, apple cider, and fruits or vegetables that may be washed, colored, or
4 otherwise treated in their unpeeled natural form prior to marketing.

5 (7) “Regional farm” means farm, farmers' cooperative, food hub or wholesale distributor
6 located in Rhode Island, New York, Massachusetts, Vermont, New Hampshire, Connecticut, or
7 Maine.

8 (8) “Regionally sourced food” means food grown or produced at, or sold by, a regional
9 farm and including, but is not limited to, value-added dairy, fish, pork, beef, poultry, eggs, fruit,
10 vegetables and minimally processed foods.

11 (9) “Substantial period of its life” means an animal that was harvested in Rhode Island and
12 lived in Rhode Island for at least one third (1/3) of its life or one year.

13 (10) “Unique food product” means food processed in Rhode Island from ingredients that
14 are not regularly produced in Rhode Island or not available in sufficient quantities to meet
15 production requirements.

16 (b) For the purposes of this chapter and, “local,” “local to Rhode Island,” “locally grown
17 or made in Rhode Island,” and any substantially similar term shall have the following meaning
18 based on the type of food or food product:

19 (1) For products that are raw agricultural products, “local to Rhode Island” means the
20 product:

21 (i) Was exclusively grown or tapped in Rhode Island;

22 (ii) Is not milk and was derived from an animal that was raised for a substantial period of
23 its lifetime in Rhode Island;

24 (iii) Is milk where a majority of the milk was produced from Rhode Island animals; or

25 (iv) Is honey produced by Rhode Island colonies located exclusively in Rhode Island when
26 all nectar was collected.

27 (2) Except as provided in subsection (b)(3) of this section, for products that are processed
28 foods, “local to Rhode Island” means:

29 (i) The majority of the ingredients are raw agricultural products that are local to Rhode
30 Island; and

31 (ii) The product meets one or both of the following criteria:

32 (A) The product was processed in Rhode Island; or

33 (B) The headquarters of the company that manufactures the product is located in Rhode
34 Island.

1 (3) For bakery products, beverages, or unique food products, the product meets two (2) or
2 more of the following criteria:

3 (i) The majority of the ingredients are raw agricultural products that are local to Rhode
4 Island; and

5 (ii) Substantial transformation of the ingredients in the product occurred in Rhode Island;
6 and/or

7 (iii) The headquarters of the company that manufactures the product is located in Rhode
8 Island.

9 (c) For the purposes of this chapter when referring to products other than food, “local” and
10 any substantially similar term shall mean that the goods being advertised originated within Rhode
11 Island.

12 (d) For the purposes of this chapter, “local,” “locally grown or made,” and substantially
13 similar terms may be used in conjunction with a specific geographic location; provided that, the
14 specific geographic location appears as prominently as the term “local” and the representation of
15 origin is accurate. If a local representation refers to a specific city or town, the product shall have
16 been grown or made in that city or town. If a local representation refers to a region with precisely
17 defined political boundaries, the product shall have been grown or made within those boundaries.
18 If a local representation refers to a region that is not precisely defined by political boundaries, then
19 the region shall be prominently described when the representation is made, or the product shall
20 have been grown or made within thirty (30) miles of the point of sale, measured directly point to
21 point.

22 (e) A person or company who sells or markets food or goods impacted by a change in this
23 section shall have until January 1, 2025, to utilize existing product labels or packaging materials
24 and to come into compliance with the requirements of this section.

25 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO FOOD AND DRUGS -- ADVERTISING OF RHODE ISLAND PRODUCTS --
LOCAL FOOD

- 1 This act would define what local means as it pertains to certain food types being sold and
- 2 advertised in Rhode Island.
- 3 This act would take effect upon passage.

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